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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,266	03/05/2002	Gael Mace	PF010020	6430

7590 04/24/2009
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EXAMINER

NGUYEN, CINDY

ART UNIT	PAPER NUMBER
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2161

MAIL DATE	DELIVERY MODE
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04/24/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/091,266	Applicant(s) MACE ET AL.	
	Examiner CINDY NGUYEN	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2 and 7-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 7-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is response to communication filed 06/27/08.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 7-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Akatsu et al. (US 6496862, hereafter Akatsu).

Regarding claim 1, Akatsu discloses: Method for isochronous file transfer in a network for transmission of audio/video data, comprising the steps, at the level of a client application (see col. 24, lines 1-5), of:

- causing a client device to request the opening of an isochronous connection between the client device and a source device (i.e., request is received at the IEEE 1394 driver 820 from an IEEE 1394 node, the MPEG start request command is passed from the IEEE 1394 driver to the service controller ... the data is received over an AAL5

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connection with the video service provider on the MPEG network...see col. 11, lines 30-37; see col. 20, lines 40-50 Akatsu);

- causing the client device to specify a file to be transferred from the source device to the client device in an isochronous manner over the connection (i.e., isochronous channel... see col. 11, lines 50-60, Akatsu);

- causing the client device to specify a starting point, within said file, from which the transfer is to be carried out (see col. 12, lines 7-15); and

- causing the client device to request initiation of the file transfer from the starting point (see col. 16, lines 13-20, Akatsu).

Regarding claim 2, all the limitation of this claim has been noted in rejection of claim 1 above. In addition, Akatsu discloses: wherein the step of causing the client device to request initiation comprises transmitting a request to a file manager functional component module of the source device for managing a file system of isochronous files and asynchronous files on a recording medium holding the file to be transferred, wherein said file manager functional component module provides an application programmable interface for access by said client application (i.e., home gate determine the type of data contained in the data packet whether for transmission as an asynchronous packet or an isochronous channel.... See col. 9, lines 40-65; col. 10, lines 38-48, Akatsu).

Regarding claim 7, all the limitation of this claim has been noted in rejection of claim 1 above. In addition, Akatsu discloses: wherein said starting point is specified in the request for opening the connection (i.e., sending an MPEG talk start request.... See col. 11, lines 51-60; col. 12, lines 7-15, Akatsu).

Regarding claim 8, Akatsu discloses: Device for connection to a network for transmission of audio/video data, comprising:

a recording medium for storing isochronous files (i.e., flash memory 716 or DRAM memory 720...see col. 18, lines 56-62, Akatsu); and a functional component module providing an application programmable interface (home gateway 504) for access to said recording medium by a client device wherein the application programmable interface (IEEE 1394) Comprises a method for transferring an isochronous file(MPEG data) over an isochronous connection (isochronous channel) to the client device starting from a starting point in the file, specified by the client device (i.e., sending an MPEG talk start request.... See col. 11, lines 51-60; col. 12, lines 7-15; col. 10, lines 38-48, Akatsu).

Regarding claim 9, all the limitation of this claim has been noted in rejection of claim 8 above. In addition, Akatsu discloses: wherein the application programmable interface comprises: methods for acting upon isochronous connections and files (see col. 11, lines 50-56, Akatsu); methods for acting upon asynchronous connections and files (see col. 11, lines 56-60); and file type independent methods for acting upon both

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asynchronous and isochronous files (i.e., determine type of data contained in the data packet... see col. 9, lines 43-53, Akatsu).

Regarding claim 10, all the limitation of this claim has been noted in rejection of claims 8 or 9 above. In addition, Akatsu discloses: wherein the application programmable interface further comprises methods for acting upon directories of both asynchronous and isochronous files (see col. 8, lines 47-50; col. 9, lines 43-53, Akatsu).

Regarding claim 11, Akatsu discloses: Method for isochronous file transfer in a network for transmission of audio/video data, at the level of a source device comprising a recording medium for storing isochronous files, comprising the steps of:

receiving from a client device method call including a request to transmit an isochronous file to the client device over an isochronous connection with the client device, from a starting point specified in the request (see col. 9, lines 30-54; col. 11, lines 42-60; col. 12, lines 7-15, Akatsu); and

initiating the file transfer from the starting point (see col. 16, lines 13-20, Akatsu).

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Regarding claim 12, all the limitation of this claim has been noted in rejection of claim 11 above. In addition, Akatsu discloses: wherein the called method is part of an application programmable interface of a file manager functional component module(i.e., home network control/management and other downloadable functions 682) for

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managing the recording medium (see col. 7, lines 34-49), and further comprising the step of having the source device establish, using its local registry service (see col. 8, lines 51-58, Akatsu), a global directory comprising directories of all file manager functional component module compatible devices in the network (see col. 18, lines 53 to col. 19, lines 12, Akatsu).

Regarding claim 13, all the limitation of this claim has been noted in rejection of claim 12 above. In addition, Akatsu discloses: further comprising the step of including directories of devices managed by an AVDisc functional component module in the global directory (see col. central server 2750.. see col. 23, lines 38-51, Akatsu).

Regarding claim 14, all the limitation of this claim has been noted in rejection of claim 11 above. In addition, Akatsu discloses: wherein the method call is a : method call for setting up the isochronous connection (i.e., in act request an isochronous virtual channel... see col. 11, lines 56, Akatsu).

Contact information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CINDY NGUYEN whose telephone number is (571)272-4025. The examiner can normally be reached on 8:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. N./
Examiner, Art Unit 2161

/Apu M Mofiz/
Supervisory Patent Examiner, Art Unit 2161